

**TOWN OF ACTON  
OPEN SPACE COMMITTEE  
MINUTES  
May 12, 2017  
7:30 AM  
ACTON TOWN HALL – ROOM 9**

**COMMITTEE MEMBERS PRESENT:** Andy Magee, Terry Maitland, Jeff Clymer, Matt Mostoller, Katie Green, Dick Hatfield, Tom Tidman, Zack Wallack (NR Intern)

**ASSOCIATE MEMBERS:** Will Hill

**RECORDING SECRETARY:** Fran Portante

**VISITORS:** Joe Will, Judy Werner, Bob Callahan, Susan Mitchell-Hardt, David Hardt, Jim Willis, Andrew Moyer, Jeff Chormann, Joan Gardner, Barbara Morse, Judy Werner

**MEETING AGENDA ITEMS**

Item 1. Approve Minutes of March 3, 2017 and April 7, 2017 and Executive Session minutes of March 3, 2017 and April 7, 2017.

**Decision:** Jeff moved to approve the minutes of March 3 and April 7, 2017. Terry seconded the motion and the vote passed unanimously.

**Decision:** Terry moved to approve the Executive Session minutes of March 3 and April 7, 2017. Jeff seconded the motion and the vote was passed unanimously.

*Tom Tidman introduced his summer intern, Zack Wallack.*

Item 2: **53 River Street:** No study committee has been formed yet. No other action.

Item 3: **Piper Lane:** The Hadley parcel and 90 School Street were discussed in tandem. A letter had been sent recently to the Board of Selectmen and the Open Space Committee from Gene Beresin and Michaela Moran on behalf of the neighbors in the area expressing strong support for the town to purchase these properties (see attachment 1). The letter outlined three possible opportunities, revolving around the purchase of the back parcel for open space, and citing its position adjacent to Great Hill Conservation property. 1. Both the house and 90 School Street (Shaw house), would be purchased thereby allowing the house lot to be reconfigured into a conforming lot which could then be sold by the town. 2. The back lot would be converted to conservation property and added to the Great Hill Conservation area. 3. In addition to 1 and 2, the Shaw lot could be used to build a small affordable house with handicapped access.

Andy pointed out that the OSC has voted to approve a new appraisal. Selby is pursuing this and the appraisal should be in within the month. The Historic district has also weighed in with support for the purchase. However, because of the mixed use that is being considered, the total price cannot be met with CPC funds only. The Town will have to provide some of the money to cover the cost.

Susan presented ACT's position on the various approaches. She had meet with Selby regarding the Berensen letter. In discussing the third possibility as outlined in the letter, existing frontage wouldn't permit multiple homes to be built on 90 School St. ACT would not support the third option as stated. Susan also noted that she has looked up the land price in Zillow and noted that the price has recently been raised from \$699K to \$799 K.

Both the Hadley parcel and 90 School Street would have to be purchase to make the proposed plan workable. The only legal access to the back property, the desirable conservation portion, is through 90 School Street.

Several neighbors addressed the condition of the house. A relatively recent visit had noted updates to the first floor including the kitchen, bringing it more up-to-date.

The Historic District needs to be kept involved.

**Item 4: Stonefield Farm:** Another meeting with the owners and Ashley? was held recently. There has been some progress on this long time issue. Most notably, the owners have altered their position on offering to sell the town the Conservation Restriction prior to having a firm offer on the sale of the property. In the past, they were concerned that the value of the property might decrease. At this time, they are thinking that they could keep the farm operational for another 20 years. So they are willing to sell the CR to the Town. Andy is prepared to make the case to the town at next Town Meeting.

Upon conclusion of this general meeting, an executive session will be called to discuss details.

**Item 5:** Brief Review of each of the following as necessary:

- **19 Spring Hill Road:** Several Spring Hill residents were in attendance. David Hardt spoke for the group. He summarized the issue as follows: A proposal was submitted to the Planning Board to put in a subdivision on a private lane to be built at the end of Spring Hill Road, which is a single access road. Zoning laws limit single access roads to 500 feet. The proposal is to put in 3 houses and add a new access road. The reason for this proposal is that the owners of the property do not have adequate frontage and therefore the only way they can divide the property is to extend the road. They have requested a waiver. Since such a waiver has to support sufficient public benefit, the

Planning Board had accepted their proposal with the charge to come back to them with an argument for a sufficient public benefit to justify a waiver.

There are public safety issues with single access roads which are of serious concern, such as fallen tree limbs and public water access. Also, this violates the original intention of the owners living on Spring Hill Road.

A waiver such as this would set a dangerous precedent for the town. There are many other single access roads in town, and granting this waiver could conceivably result in multiple requests for extensions. Jeff pointed out that a similar plan was submitted recently and was denied.

Terry noted that a request for a wetlands waiver was heard by the Conservation Commission over 10 years ago and was denied when an endangered species of salamander being discovered. That property is again being considered for development since this species has recently been delisted.

Andy asked if the committee thought a letter to the BoS was in order. Upon agreement, he asked Will Hill to draft the letter to be reviewed at the next meeting scheduled for June 2.

- **64 School Street:** Andy will talk with Judy Werner after the meeting.
- **Quarry Road:** no updates
- **Newtown Road:** A prospective buyer has called Tom. A meeting has been scheduled for next week. The owners are asking over \$500K per lot.
- **Arlington Street.** No update

#### **Item 6: Planning Workshop: May 31.**

The Planning Department is proposing to change PCRC rules to “by right” standards. The change requires some new definitions of open space that can be prioritized and will affect the layout of a project. While these considerations are somewhat difficult to evaluate, they have, at the least, defined wildlife corridors as a primary consideration.

Meanwhile, Planning is having a workshop for the general public on May 31 to discuss these changes. Andy urged OSC members to attend the workshop.

The Planning Department had attended an Open Space Meeting several months ago but were unable to make a full presentation to the committee. Andy will invite them to reschedule for perhaps the June 2 meeting..

**Item 7 Charter Revisions and Term Expirations:**

Jeff is resigning effective June 30. He is moving to another town. Dick will remain on the committee, and Andy is also planning to resign.

Andy raised the question of whether the Board of Selectman representative needs to be a member or can just be a liaison. That would permit an opening for another member. As an advisory group to the BoS, the Committee could use more working members, since much of the work involved is time consuming. Another possibility is to utilize Associate Members would boost the working membership to 9. The existing charter permits an associate member to be assigned an issue and to see that issue through to completion. If the BoS and Planning Board members were changed to liaisons, they could add two more members to the committee. A question was raised regarding the amount of financial matters are involved. Would an associate member be able to participate in such cases. Andy pointed out the that Chair can appoint an associate member to serve as a voting member if they lacked quorum.

**Decision:** Terry moved to add the two associate members to the Committee as full members; BoS position would be liaison, not member. Planning and ConCom member would remain unchanged. Jeff seconded the motion and the motion passed unanimously.

Since no one volunteered to step into the Chairmanship, Andy will make personal contact with members.

**Item 8: Move to Executive Session**

Jeff moved to go into executive session and to include Will, Susan and Zack. Dick seconded and the motion passed unanimously.

Meeting adjourned at 8:35

Next meeting is June 2, 2017, 7:30 PM, Room 9, Acton Town Hall.

Attachment 1:

May 6, 2017

To the Open Space Committee and Board of Selectmen:

We would like to write on behalf of many individuals and families in South Acton who have been concerned about the Hadley Magoon parcel.

As you know, the Magoon Hadley parcel (or actually three parcels) were previously appraised at a very low figure, as it was viewed as land locked. The house, as well is situated on a non-conforming lot. There is also an issue that the property on 90 School Street, owned by Mr. Shaw has frontage, sewer access and a 1500 square footprint that could be used for a small house and potentially for two units. We heard at the Open Space Committee that a decision was made to have the Shaw property, the Magoon Hadley house and the land abutting Great Hill appraised with the possibility of the town purchasing the four parcels.

This would allow the following: 1) The Magoon Hadley property could be made into a conforming lot by itself and sold for a fair market value, which would be considerable given its bordering on conservation land 2) the back land would be made conservation land owned by the town and added to the Great Hill Conservation land or 3), the Magoon Hadley house as a new conforming lot would be sold by the town, the back land made into Conservation Restriction and possibly, the Shaw land could be used to build a small affordable house with handicapped access.

The ideas are appealing for all of us. It allows for Brian Magoon and Sioux Hadley to receive a fair price for their property. It allows the town to increase its open space on Great Hill, a longstanding priority for the town and Open Space Committee as it borders on the Historic District. And finally, it could either make the Hadley Magoon home with the Shaw property and bordering on conservation land much more valuable or, if desired by the town, allow for a small affordable house on School Street, previously the Jodka home. It should be noted that the Hadley Magoon house is the old Acton Station Master House and is listed on Acton's Cultural Resource List. Hence it is even more desirable for our Historic District. Further there is general agreement that we need more affordable housing in Acton and the Shaw parcel might well fit the bill for a small, affordable and handicapped accessible property.

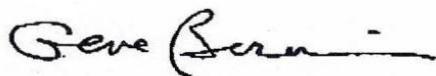
We know that this has been a very long and complicated process. We also believe that the Magoon Hadley home would be highly desirable as a private home; and if desired, a small affordable home would add to town requirements.

But most of all we feel a tremendous urgency for this process to move very quickly lest the parcels fall into the hands of a developer given their recent price reduction.

We urge you to work closely with the appraiser and the realtor retained by Brian and Sioux, and Shaw to bring closure to this process.

It would clearly be a winning situation for all,

Best,



Gene Beresin and Michaela Moran

**Neighbors in support of this proposition (through email approval):**

Todd Bachmann and Kathy Acerbo-Bachmann, 50 River Street  
David and Leigh Honn 105 School Street  
Barbara L. Morse 8 Piper Road  
Ann Flint and Joan Flint, 70 School Street  
Robert Hamilton 62 River Street  
Lucinda & John Chalmers 16 Piper Road  
Eric & Jillian Watson @ 6 Piper Rd  
Christy White & Philip Corp 12 Piper Road  
Katherine Rink and Michael Holm 1 Lilac Court  
Jeff and Susan Chormann 13 Piper Road  
Jim Snyder-Grant 18 Half Moon Hill  
Marc and Ashley Quesnel, 52 River Street  
Brian and Brigid Brady Main Street  
Joe Glannon 63 Willow  
Laura Taylor 85 River Street  
Naomi and Robert Phaneuf 5 Lilac Court, Acton, MA 01720  
Shirish Khandekar and Supriya Kulkarni 2 Piper Rd  
Nancy Shippen 15 Lilac Court  
Maggie Veloza 11 Lilac Court  
Sandra Mike and Peter Lukacic 66 School Street  
Kelly Milligan 7 Lilac Ct  
A.J. Jablonowski and Leah Abraham 7 Piper Road  
Hannah Bloch and Geoff Mamlet  
Jane Ceraso  
Bill Freeman and Franny Osman  
Terra Friedrichs  
Lee Ketelsen  
Robert Sekuler

**Attached letter of endorsement by the Acton Historic District Committee**



**TOWN OF ACTON  
HISTORIC DISTRICT COMMISSION  
472 MAIN STREET  
ACTON, MASSACHUSETTS, 01720  
hdc@acton-ma.gov**

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2 May 2017

Gene Beresin, MD MA  
Michaela Moran  
80 School Street  
Acton, MA 01720

Re: Piper Lane Magoon Hadley Property  
90 School Street Property

Dear Gene and Michaela,

At a recent meeting of the Historic District Commission, the Committee reviewed your draft letter to the Board of Selectman and Open Space Committee concerning the above noted properties. Although these properties are located adjacent to, but not within, the South Acton Historic District (see attached map) and the HDC has no statutory jurisdiction over disposition of these properties, the HDC believes it is incumbent upon all town committees involved with preservation of the town's historic attributes to unite behind one of the central goals of Acton's 2020 Master Plan-preserving Acton's character in regard to both buildings and landscapes.

Towards this shared vision, the HDC is pleased to provide its endorsement of the objectives outlined in your letter, specifically:

That the Town, through whatever the appropriate and advantageous means necessary-CPC funds, affordable housing funds, free cash, etc., purchase the above listed parcels which would allow:

the Magoon Hadley house, listed on the town's historic cultural resource list and occupying a non-conforming lot, to be preserved, rehabilitated and reconfigured into a conforming lot thus producing an attractive, marketable property. The HDC notes that within just the past few months, several houses within the South Acton Historic District have been immediately purchased after historic rehabilitations;

the remainder of the Magoon Hadley property to be added to the Great Hill Conservation land;

90 School Street, site of the former Jodka residence, to be redeveloped as a one, or perhaps a two-family, affordable housing opportunity. The HDC notes that the entirety of School Street up to the front property line of 90 School Street is within the South Acton Historic District and any development on this parcel will have a direct effect on the historic character of School Street.

The HDC urges the Board of Selectman and Open Space Committee to vigorously pursue this course of action.

Sincerely,

  
David Honn, Chair  
on behalf of the Historic District Commission